

FILED
Scott L. Poff, Clerk
United States District Court
By James Burrell at 2:31 pm, Jan 22, 2018

CR617-004

REPORT AND RECOMMENDATION

The Court ordered a forensic competency examination of defendant Dontay A. Dunning after finding reasonable cause to suspect that he is presently suffering from a mental disease or defect rendering him mentally incompetent to stand trial. Doc. 18. After evaluating him at the Federal Detention Center in Englewood, Colorado, the forensic psychologist concluded that he is competent. Doc. 22 at 20. Defendant and counsel for the parties have stipulated to the report's findings and conclusions. Doc. 24. It is therefore **RECOMMENDED** that the defendant be held competent to stand trial.

This Report and Recommendation (R&R) is submitted to the district judge assigned to this action, pursuant to 28 U.S.C.

§ 636(b)(1)(B) and this Court's Local Rule 72.3. Within 14 days of service, any party may file written objections to this R&R with the Court and serve a copy on all parties. The document should be captioned "Objections to Magistrate Judge's Report and Recommendations." Any request for additional time to file objections should be filed with the Clerk for consideration by the assigned district judge.

After the objections period has ended, the Clerk shall submit this R&R together with any objections to the assigned district judge. The district judge will review the magistrate judge's findings and recommendations pursuant to 28 U.S.C. § 636(b)(1)(C). The parties are advised that failure to timely file objections will result in the waiver of rights on appeal. 11th Cir. R. 3-1; *see Symonett v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Mitchell v. United States*, 612 F. App'x 542, 545 (11th Cir. 2015).

SO REPORTED AND RECOMMENDED, this 22nd day of January, 2018.


UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA